

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: 15 January 2003

Division: Growth Management

Bulk Item: Yes No X

Department Marine Resources

AGENDA ITEM WORDING:

Update briefing on wastewater management projects and issues.

ITEM BACKGROUND:

The County Administrator informed the BOCC at its June 20, 2002, regular meeting, that staff will provide briefing updates on the status of wastewater projects and issues to the BOCC on at least a monthly basis. In addition to an oral briefing, the staff will prepare a written update report intended for insertion in the Wastewater Project Book provided to the BOCC at the June meeting. A staff representative from the FKAA has also been asked to attend the meeting to provide the Commission with further updates on their projects as necessary.

PREVIOUS RELEVANT BOCC ACTION:

NA

CONTRACT/AGREEMENT CHANGES:

NA

STAFF RECOMMENDATIONS:

NA

TOTAL COST: NA

BUDGETED: Yes No

COST TO COUNTY: NA

SOURCE OF FUNDS: NA

REVENUE PRODUCING: Yes No NA AMOUNT Per Month Year

APPROVED BY: County Atty NA OMB/Purchasing NA Risk Management NA

DIVISION DIRECTOR APPROVAL:


Timothy J. McGarry, AICP

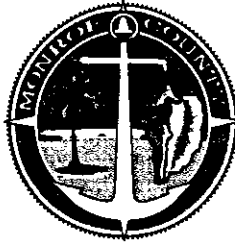
DOCUMENTATION: Included X To Follow Not Required

DISPOSITION:

AGENDA ITEM NO.: S1

Memorandum

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Board of County Commissioners
Mayor Dixie Spehar, Dist. 1
Mayor Pro Tem Murray Nelson, Dist. 5
Commissioner George Neugent, Dist. 2
Commissioner Charles "Sonny" McCoy, Dist. 3
Commissioner David Rice, Dist. 4

DATE: 7 January, 2003

TO: Board of County Commissioners

FROM: James L. Roberts, County Administrator *JP for JLR*

SUBJECT: **Staff Update Report (# 01-03) on Wastewater Master Plan Implementation Issues**

The staff of the Florida Keys Aqueduct Authority will be on hand at the January Commission meeting to update the Board on progress to date. The FKAA staff will provide their January report on the day of the meeting, January 15th (Attachment 1).

AVAILABLE FUNDS FOR WASTEWATER

Update on Federal Funds - \$100 M Congressional Authorization: Public Law 106-554 authorized the Army Corps of Engineers (ACOE) to "provide technical and financial assistance to carry out projects for the planning, design and construction of treatment works to improve water quality in the Florida Keys National Marine Sanctuary. Congress may appropriate up to 100 million dollars through previous authorization language.

In furtherance of ACOE and SFWMD objectives, the Project Development Team for the wastewater project met on November 22, 2002. Discussion focused on developing criteria for establishing priorities for the wastewater and stormwater projects that will be funded under the program. Jim Reynolds and David Fernandez agreed to redraft some of the "readiness to proceed" criteria which would allow the ACOE and the District to determine which projects amongst the County and municipalities were truly ready to begin construction. Future meetings of this group will occur at the beginning of the year. The next meeting of the PDT will be held in late January or early February of 2003. It has not been scheduled yet. The minutes of the November 22, 2002 meeting are attached for your review (Attachment

From September until now, a number of actions and counter actions have been taken in reference to the means by which federal funding is sought and obtained. The current direction from the Board is to continue to seek funding through the Florida Keys Water Quality Improvement Act and the ACOE. However, the Board has also indicated that if our State Representative can find the means to redirect the funding through the U.S. Environmental Protection Agency to the Florida Department of Community Affairs, this approach should not be discouraged. The most recent effort to redirect funds came a meeting with Congresswoman Ileana Ros-Lehtinen's staff

on the 20th of December 2002. The Commission called a special meeting in order that each Commissioner could attend the meeting

Update on FEMA Funds: The County staff continues to work with FEMA and the FKAA to complete the FEMA projects at Key Largo, Conch Key and Baypoint.

Receipt of FEMA funds depends on the completion of a series of stepwise commitments leading from public hearings through construction design and ultimately construction. FEMA also indicates that the local share of the project must be committed and contracted by September 2003.

Staff met on December 22, 2002 with FEMA, FDCA, FDEP, and the FKAA to discuss each of the FEMA projects. A special focus was placed during the meeting on the transition requirements and timing for a shift in the Key Largo Trailer Village project to the Key Largo Wastewater Utility Board.

Update on FDEP State funding: State funding, in the amount of \$ 11.8 million, was broken into three categories and may fund either wastewater or stormwater projects. First, \$1.66 million was provided to qualifying projects in Key Largo, Islamorada, Marathon, and Key West. Second, \$200,000 was provided both Layton and Key Colony Beach. Third, the remaining funds (\$4.76 million) will be provided to qualifying projects in hotspot areas as identified in the Wastewater Master Plan. The County and municipalities have agreed in joint resolution to the equitable split of these funds. The County's share will be \$1.112 million. Then, if there are any funds left over, additional projects will be considered in an additional round of funding.

Progress is being made on each of the State funded projects, Key Largo Park, North Key Largo Utilities, Key West Resort Utilities. Bid requests for the Key Largo Park project will be out in January from the FKAA. Contracts with the North Key Largo Utility and Key West Resort Utilities are on the Board agenda for January to complete or pay for improvements in those utility districts. The State contract to fund the utility projects is also on the agenda as well. Thus once, executed and because the utility projects are either under way or complete at this time, seeing final commitment of those state dollars will be accomplished.

Remaining Cesspool Elimination Funds:

In a separate report prepared for the September Board meeting, a complete assessment of the availability of the cesspit replacement funds was provided with recommendations for its redistribution to other projects. However, at a minimum \$1,095,394 of state funds and \$792,049 of County funds are projected to remain for redistribution. These figures are predicated on an assumption that 36 on-site system permits that were still in the system in September would apply for and receive grant funds for cesspit replacement. If this is not the case, then the availability of cesspit replacement funds for redistribution will be higher than projected. The BOCC approved utilizing FDCA and County funds intended for cesspit removal at its September 21, 2002 meeting. Grant revisions to both FDCA grants for cesspit funding were also provided to the Board at its October 16, 2002 meeting. Both contract revisions were approved.

The Transition Agreement with the Key Largo Utility Board, the FKAA, and the County will define more clearly how much of the cesspit fund will be required in this area.

Other Grant Opportunities:

Under House Bill 851 (FY 2002), the County developed a wastewater project proposal for the Key Largo area. Similarly, the FKAA submitted several different proposals, one for each of its current wastewater project areas. The Key Largo proposal and other FKAA proposals were submitted in the early part of November.

Rick Casey of the Monroe County Housing Authority has been very hopeful of receiving a Community Development Block Grant (CDBG) for approximately \$350,000. This request fell through in October, failing to meet the funding cut by 1 place. Mr. Casey resubmitted a request in December of 2002 and hopes to receive an affirmative response in June of 2003. This is highly likely as agencies that already have a grant will not receive another. This puts the County in a strategic position to receive a grant in the upcoming round of grant approvals. The problem with this delay is that failure to receive the CDBG grant funds limits availability of funds to assist low and very low income households.

Issues Addressed/Actions Taken

- Approval by the BOCC to provide funds to the FKAA in the amount of \$200,000 to offset costs of preliminary engineering efforts to complete requirements to receive State funds at Key Largo Park.
- Approval of staff recommendations for use of remaining FDEP, FDCA, and County funds remaining from cesspit replacement program.
- Approval of a Resolution requesting that the State's Congressional delegation assess the feasibility of shifting any federal appropriations funds for wastewater in the Florida for management and dissemination by the Florida Department of Community Affairs.
- Approval by the BOCC to provide an additional \$156,000 to the FKAA for development of the state funded Key Largo Park wastewater project.
- Approval of a revised Resolution to seek a dual path for funding wastewater projects, one through the existing federal authorization and the other through the efforts of the County's State Representative to have appropriations provided to a State Trust Fund administered by FDCA.
- Submitted a project proposal for Key Largo under the auspices of House Bull 851.
- Attendance or the Board at a meeting with Ileana Ros-Lehtinen's staff to discuss approaches federal wastewater funding

Issues That Need to be Addressed

- Need to adopt financial assistance criteria for economically disadvantaged households throughout the County.

Recommended BOCC Action:

- Consideration of additional recommendations for financial assistance programs.

Significant Future Milestones/Actions:

- Decision on financial assistance programs as recommended by staff. *[Target Date: December Commission meeting]*

WASTEWATER GOVERNANCE

Update FCAA: Currently County and FCAA staff are working well together.

Municipal Service Taxing Units were approved at the December 2002 Board meeting for Conch Key, Marathon, Baypoint, and Big Coppitt. This leaves the Board with two options for funding the FCAA administrative costs over the next several years, the MSTUs or Infrastructure Sales Tax dollars from Fund 304. These funds will be required prior during construction and prior to the operation of any wastewater facilities. The total annual encumbrance, in either approach is approximately \$150,000.

Update Key Largo Wastewater Utility Board: To date, staff has met with the new Board three times, once at its inaugural meeting on November 19, 2002, again on December 4, 2002, and a third time on December 11, 2002 with FEMA, FDCA, FDEP, and FCAA to discuss the FEMA project in Key Largo. Additional workshops are planned for January 7, 8, and 14th to discuss budget and hiring both an engineer and grant manager. Regular Utility Board meetings will also be held on January 15 and 22, 2002. Agenda packages and minutes from the meetings which have been held are being provided to the Board of County Commissioners as they occur.

Major issues for the Utility Board include administrative hiring and budget matters, completing the bid process for Key Largo Park, and adopting a rate and fee structure for Key Largo Park and Trailer Village which is sufficient to secure the state wastewater dollars. Each item needs to be well underway by the end of the month to the middle of February. Staff feels comfortable that significant progress is being made and that the Board will be on time to secure necessary funding.

Staff is preparing a transition agreement between the County, FCAA, and the Utility Board which will be on the January BOCC agenda.

Issues Addressed/Actions Taken

- MSTUs advertised and adopted for Conch Key, Marathon, Bay Point, and Big Coppitt

Issues That Need to be Addressed:

- Need to prepare and approve new agreements between the FKAA and Monroe County spelling out the roles and responsibilities of the two organizations for each party for the provision of wastewater services and financial commitment and underwriting by the County.
- Need a transition agreement between the County, FKAA, and the Key Largo Wastewater Utility Board.
- Need an interim revenue source to provide for administrative cost, which may be in the form of an MSTU ordinance adopting a wastewater district for Key Largo if the Key Largo Wastewater Board requests such action and only after careful consideration of the Commission.

Recommended BOCC Action:

- Consideration of new agreement(s) with the FKAA establishing roles and responsibilities for wastewater services in unincorporated Monroe County prepared by the FKAA and County staffs.
- Consideration of a transition agreement between the County, FKAA, and the Key Largo Wastewater Utility Board. *[Target Date: January meeting]*
- Consideration of an MSTU ordinance adopting a wastewater district for Key Largo if the Key Largo Wastewater Board requests such action and only after careful consideration of the Commission. *[Target Date: February meeting]*

Significant Future Milestones/Actions:

- Execution of new agreement(s) with the FKAA spelling out the renewed relationship with the County including specific roles and responsibilities and financial commitment and underwriting by the County. *[Target Date: December or later Commission meeting]*
- Approval of a transition agreement between the County, FKAA, and the Key Largo Wastewater Utility Board. . *[Target Date: January meeting]*
- Approval of an MSTU ordinance adopting a wastewater district for Key Largo if the Key Largo Wastewater Board requests such action and only after careful consideration of the Commission. *[Target Date: February meeting]*

PROGRAMMATIC IMPLEMENTATION PLAN

Update: No Additional Update at this time.

Issues Addressed/Action Taken:

- Approval by BOCC of policies on “reasonable” connection fees and monthly service charges and public financial assistance to wastewater projects and economically disadvantage households.

Issues That Need to be Addressed:

- Need for realistic programmatic implementation plan that establishes policies on reasonable connection fees and monthly charges; project and financing priorities; and a schedule for programming of wastewater projects based on available identified funding in accordance with the Sanitary Wastewater Master Plan.
- Need to revise the Seven Year Work Program in the Monroe County Year 2010 Comprehensive Plan to reflect the results of the adopted programmatic implementation plan.

Recommended BOCC Action:

- Consideration of recommended draft programmatic implementation plan prepared by County and FKAA staff.

Significant Future Milestones/Actions:

- Approval of programmatic implementation plan for the Sanitary Wastewater Master Plan *[Target Date: January 2003 Commission meeting]*

FEMA UNMET NEEDS PROJECTS

A. General

The Programmatic Environmental Assessment (PEA) for all FEMA projects is completed and that public hearing dates were held on October 8, 2002 in Key Largo and October 9, 2002 in Marathon. Supplemental Environmental Assessment hearings will be held for each of the projects individually, Key Largo, Conch Key, and Baypoint later in the winter. Dates have not yet been set for these hearings. However, these meetings should start with the Conch Key project sometime in early 2003.

B. Key Largo Trailer Village (MM 101.5) and Key Largo Park (MM 100.5)

Update: Staff met with FEMA, FDCA, and FDEP project managers to discuss progress and the current time line for this project on December 11, 2002.

Issues Addressed/Addressed Taken:

- Approval by the BOCC assigning \$1.66 million in available State funds to expand the Key Largo Trailer Village FEMA project to include Key Largo Park.

- Approval of a resolution with the FKAA for the use of \$1.66 million in FDEP funds to move forward toward constructing the Key Largo Park project and the designation of up to \$200,000 in Fund 148 dollars to assist the FKAA in on-going engineering costs for the Key Largo project.
- Approval of an additional \$156,000 in funding for project development at Key Largo Park

Issues That Need to be Addressed:

- Need to amend the joint resolution with FKAA (Resolution No. 093-02) to more accurately reflect transition of responsibilities and duties to the new wastewater utility board for the FEMA and State project commitments and for any commitments that the County has made to the FKAA.

Recommended BOCC Action:

- Consideration of an amended joint resolution agreement with the FKAA for the Key Largo Trailer Village on a transition plan and appropriate changes in County funding and underwriting commitments.

Significant Future Milestones/Actions:

- Approval of a joint resolution with the FKAA on the Key Largo Trailer Village project.
[Target Date: December Commission meeting]

C. Conch Key (MM 61)

Update: Staff met with FEMA, FDCA, and FDEP project managers to discuss progress and the current time line for this project on December 11, 2002.

Issues Addressed/Addressed Taken:

- Approval by the BOCC of the selection of the stand-alone wastewater management option for Conch Key on June 20, 2002.
- Approval of an agreement with FDOT for the proposed wastewater treatment plant site on the north side of the Overseas Highway, Conch Key

Decision not to move forward in acquiring property on the south side of the Overseas Highway, Conch Key.

- Held informal workshops with the Conch Key community in early December 2002

Issues That Need to be Addressed:

- Need to revise the joint resolution with the FKAA (Resolution No. 227-002) to reflect updated job responsibilities and commitments.

Recommended BOCC Action:

- Consideration of amended joint resolution or agreement with the FKAA for Conch Key on milestones to complete the project and on County funding and underwriting for the commitments for the project.

Significant Future Milestones/Actions:

- Approval of a joint resolution on milestones to complete the Conch Key project and on County project funding and underwriting commitments. *[Target Date: January Commission meeting]*

D. Baypoint (MM 15)

Update: Staff met with FEMA, FDCA, and FDEP project managers to discuss progress and the current time line for this project on December 11, 2002.

Issues Addressed/Addressed Taken:

- Selection by the BOCC of a site in Bluewater RV Park for location of a wastewater treatment plant.
- Approval to purchase lots 11 and 12 of Baypoint Subdivision
- Held informal workshops with the Bay Point community in early December 2002
- Baypoint lots 11 and 12 purchased and in County ownership

Issues That Need to be Addressed:

- Need to revise the joint resolution with the FKAA concerning mutual responsibilities and commitments for the Baypoint FEMA project.

Recommended BOCC Action:

- Consideration of an amended joint resolution with the FKAA.

Significant Future Milestones/Actions:

- Approval of an amended joint resolution with the FKAA. *[Target Date: January 2003 Commission meeting or later]*

KEY WEST RESORT UTILITIES (STOCK ISLAND EXPANSION)

Update: A Resolution is on the Board agenda for December requesting that the KWRU initiate an upgrade of their wastewater facility to meet the AWT wastewater effluent standard.

In addition, the state has determined that funding appropriated under state budget line item 1765 a, may be used for private utilities. County staff is proceeding to assure that this project meets its March 1, 2003 deadlines in order to receive funding directed toward this project (\$134,822).

Issues Addressed/Addressed Taken:

- Approval by the BOCC on July 31, 2002, of a contract to make available to Key West Resort Utility \$4.6 million in Fund 304 Infrastructure money to expand its collection to the remaining portions of south Stock Island.
- Acceptance of financial assistance program for economically disadvantaged households presented by staff.
- Revision of financial assistance program to include mobile home park owners, allowing multiple payments over a three year period.
- Approval of a Resolution for Key West Resort Utility move forward on upgrading its plant to AWT.

Issues That Need to be Addressed:

- Need to approve a contract for receipt of state monies to assist in construction on Stock Island.

Recommended BOCC Action:

- Consideration of a contract for receipt of state monies to assist in construction on Stock Island.

Significant Future Milestones/Actions:

- Approval of a contract for receipt of state monies to assist in construction on Stock Island.
[Target Date: January 2003 Commission meeting]

LOWER KEYS WASTEWATER (MM 7.0 TO MM 11.0)

Update: The FKAA is initiating preliminary work to develop engineering design criteria for the Big Coppitt area. This will begin in detail in October.

Information developed by the FKAA will be evaluated to determine what the best management options are for the area. A preferred approach will be presented to the Commission.

Staff will submit a grant proposal to FDEP under the auspices of House Bill 851 (FY 2002).

Issues Addressed/Addressed Taken:

- None to date

Issues That Need to be Addressed:

- Need to determine the preferred wastewater management option for Big Coppitt, including preliminary system capital and operating costs.
- Need to complete preliminary engineering and design on preferred wastewater management option.
- Need to seek additional funding for the project as the next project in priority from the Sanitary Wastewater Master Plan.

Recommended BOCC Action:

- Consideration of recommendations of staff on preferred wastewater management options for Big Coppitt.
- Consideration of a resolution requesting that Key West Resort Utility move forward on upgrading its wastewater treatment plant to meet AWT standards.
- Direct staff to seek funding for the Big Coppitt wastewater project.

Significant Future Milestones/Actions:

- Consideration of project proposals for wastewater management options on Big Coppitt to determine the preferred wastewater management option. *[Target Date: To be determined]*
- Acceptance of grant funds to further develop the Big Coppitt wastewater project. *[Target Date: To be determined]*

EPA DECENTRALIZED WASTEWATER DEMONSTRATION PROGRAM

Update: Staff has met with the Board of the FKAA and presented a preliminary proposal to move forward in acceptance of the EPA Decentralized wastewater grant. The FKAA Board agreed that it was worth pursuing the grant through the development of a feasibility analysis at which time the County and the FKAA would determine whether to move forward further on the project. The Commission approved this same recommended approach at its October meeting. Work orders for the completion of the EPA grant application and processing and for the Decentralized Utility feasibility study. CH2MHill will provide all documentation and report to the Commission by early 2003.

At the December BOCC meeting the Commission indicated that they didn't want the grant application to be sent to EPA yet and that refinement was still necessary. Staff will bring the application back to the Board for additional review most likely at the time that the feasibility study is presented.

Issues Addressed/Addressed Taken:

- Approval of staff recommendations to move forward with the EPA decentralized grant program.

Issues That Need to be Addressed:

- Need to determine how the grant funds will be used and to prepare an application to receive the EPA decentralized utility grant award.
- Need to complete a feasibility analysis to determine whether or not to move forward with the EPA decentralized Utility grant award.
- Need to access the feasibility study and determine the future direction of the EPA decentralized wastewater project.

Recommended BOCC Action:

- Agreement to submit grant application to EPA.
- Assessment of project feasibility for the EPA Decentralized Utility project.

Significant Future Milestones/Actions:

- Approval of EPA grant for Decentralized Utility funding. *[Target Date: December 2002 Commission meeting]*
- Determination of project feasibility for the EPA Decentralized Utility project. *[Target Date: January or February 2003 Commission meeting]*

OTHER ISSUES

Update: Revision of the "coldspot" ordinance has placed areas like Duck Key and Conch Key in jeopardy of being required to provide engineered on-site wastewater systems prior to the availability of the centralized wastewater system anticipated for either area. This jeopardy would involve both new construction, additions, repair, or redevelopment.

Issues Addressed/Addressed Taken:

- Revision of ordinance to change Duck Key and Conch Key to "hotspots." Resolutions 39-2002 and 40-2002.

Issues That Need to be Addressed:

- None

Recommended BOCC Action:

- None

Significant Future Milestones/Actions:

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Attachment 1
FCAA January update
Will be provided at the January 15, Board meeting

Attachment 2
Minutes of November 22, 2002
PDT Meeting

**Florida Keys Water Quality Improvements Program (FKWQIP)
Program Delivery Team (PDT)
Meeting Summary**

November 22, 2002

9:00 AM to Noon

To: Attendees

From: Everglades Partners Joint Venture (EPJV)

Subject: Florida Keys Water Quality Improvements Program Delivery Team Meeting on November 22, 2002

Attendees: See attached

Handouts: Meeting Agenda
FKWQIP PDT Membership Roster
Overview and Chronology of the Monroe County, Florida Sanitary Wastewater Master Plan
Hardcopy of Slide Presentation
Draft Readiness-to-Proceed Document
Draft FKWQIP Project List

The FKWQIP PDT meeting was held from 9 a.m. to noon at the Marathon, FL Garden Club facility on November 22, 2002.

WELCOME AND INTRODUCTIONS

Cecelia Weaver, South Florida Water Management District (SFWMD), welcomed the PDT, and each member introduced themselves and their organizational affiliation. Shelley Trulock, U.S. Corps of Engineers (USACE), read a Federal Advisory Committee Act (FACA) statement addressing the following issues:

- PDT members/decision makers can only include Federal/State/Local officials and elected officers of State, local, and tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities.

- Members of the PDT should be physically distinct from any public attendants, by seating, nametags, or other measures.
- Any voting or consensus decision-making by PDT members should reflect the views of member organizations and their principals.
- Comments from non-members of the PDT should be accepted in a forum that makes clear the comment is public input and not part of the PDT decision-making process.
- Public comment periods should be at specifically designated times, prefaced with an explanation that the PDT is entertaining public comment, and comment periods should not occur with great frequency during meetings.
- Comments from the public must not turn into dialogue/Q&A with PDT members.

Functions & Responsibilities of FKWQIP PDT – Shelley Trulock and Cecelia Weaver delivered a brief presentation explaining the roles and responsibilities of the FKWQIP PDT. The following were presented as responsibilities of the PDT:

- Establish goals and objectives for the FKWQIP
- Review and approve the FKWQI Program Management Plan (PMP)
- Prioritize proposed wastewater and stormwater treatment projects
- Determine allocation of available FKWQIP funding
- Approve program implementation schedule

Formal Adoption of the Goals and Objectives for FKWQIP PDT – Using the goals and objectives listed in the Monroe County Sanitary Wastewater Master Plan as a foundation, the following were adopted by the PDT as the single objective and two goals of the FKWQIP:

Objective – The FKWQIP will provide an equitable, ecologically sound, and economical implementation strategy for managing wastewater and stormwater to improve water quality of the Florida Keys.

Goal - The FKWQIP will provide responsive, flexible, and cost-effective solutions that improve wastewater and stormwater management practices throughout the Keys and satisfy the existing and future needs of the community.

Goal – The FKWQIP will address affordability issues, and must satisfy all applicable environmental and regulatory criteria.

FKWQIP PROJECT DISCUSSION

Review of Projects from Master Plan– Patricia Carney, EPJV, reviewed the draft master list of wastewater and stormwater projects with the PDT members. Ms. Carney explained that the list was derived from the Monroe County Sanitary Wastewater Master Plan, the Monroe County Stormwater Management Master Plan dated 2001, the City of Key Colony Beach Sewer System Evaluation dated September 2002, the Village of Islamorada Stormwater Master Plan 2000, the City of Key West Water Quality Improvement Program, and interviews with the City of Layton, City of Marathon, City of Key West, Florida Keys Aqueduct Authority (FKAA), Village of Islamorada, and Monroe County, in October and November of 2002. She summarized what transpired during these meetings and explained how this list is being updated for the FKWQIP PMP.

As of the date of the PDT meeting, the FKWQIP spreadsheet had a total of 252 projects. Ms. Carney said that 66 were wastewater and 186 were stormwater treatment projects estimated to cost \$517,088,677 and \$75,261,006, respectively. Ms. Carney also reviewed the delineation of projects within each of the municipalities as follows:

Municipality or Entity	Number of Projects Identified	Approximate Cost of Projects Identified
Monroe County	66	\$295,000,000
Key West	100	\$17,000,000
City of Layton	2	\$4,650,000
City of Key Colony Beach	2	\$335,000
City of Marathon	11	\$131,000,000
Village of Islamorada	71	\$132,000,000

Ms. Carney explained that the costs presented above are based on the draft information and are subject to change based on revised estimates to be provided by the PDT members.

Ms. Carney requested that each PDT member review the project list and provide her with additional information they deem important by December 15, 2002. David Fernandez of the City of Key West inquired as to why the City of Key West's Wastewater Projects were not in the list and if Ms. Carney had received that list of projects from him. Ms. Carney responded that she did not. John Bartus of Marathon, Greg Tindle of the Village of Islamorada, Tim McGarry of Monroe County, and Charles Brooks of the Key Largo Wastewater Treatment District Board, inquired as to whether the projects could be more clearly delineated as being projects within their municipalities (as is the case of Key Largo, the area under the jurisdiction of the Wastewater Treatment District). Ms. Carney responded that she would make that delineation clearer.

The City of Marathon representative requested projects associated with the City and formerly labeled as belonging to Monroe County be updated to reflect the City of Marathon. The City of Key West representative indicated that he had several wastewater projects to add to the FKWQIP spreadsheet.

Distribution Formula For Government Appropriations – PDT members agreed to use the distribution formula approved by the Intergovernmental Task Force and approved by the municipal governments of the Florida Keys. All PDT members agreed that considerable effort had gone into development of the distribution formula and there was no need to duplicate this effort.

Readiness-to-Proceed - A general consensus was reached among PDT members that the general criteria outlined in the *Monroe County Intergovernmental Task Force Establishment of Readiness-to-Proceed* document should be used to define when a recipient is eligible to receive a percentage of their share of any appropriations for wastewater and stormwater improvements authorized under the FKWQIP Act. After considerable discussion, it was agreed that provisions of Section 3b should be amended for use by the FKWQIP. The general concern was that Section 3b criteria were very demanding in terms of requirements for financial plans at this early stage of project development. A sub-team of Jim Reynolds and David Fernandez was created to propose alternative language. Additionally it was agreed to remove the Section 5 criterion dealing with public participation.

Project Prioritization – A general consensus was reached that projects should be prioritized each year based on the “hot spots” prioritization approach used in the Monroe County Sanitary Wastewater Master Plan and that each viable project must be able to demonstrate an ability to meet the readiness-to-proceed criteria described above. A consensus was reached that a new priority listing would be prepared each year. It was also decided that each municipality would be responsible for ranking their individual projects based on readiness-to-proceed criteria.

Programmatic Environmental Impact Statement (EIS) – PDT members stated their strong desire that the Corps proceed with preparation of the Programmatic Environmental Impact Statement for the FKWQIP. Concerns expressed by the PDT were two fold: (1) *Potential Project Delays* - the primary criteria being used to allocate monies is a demonstration of readiness-to-proceed on a project by project basis, yet preparation of the appropriate level of National Environmental Policy Act (NEPA) documentation has the potential to delay individual projects, and (2) *Program Opposition* - significant opposition to centralized wastewater collection and treatment exists within the Florida Keys; PDT members want this opposition to be addressed during preparation of a programmatic EIS rather than project by project. It was suggested that the recently completed FEMA draft Programmatic Environmental Assessment for Wastewater Management Improvements in the Florida Keys be used as a base document.

Program Management Plan – Shelley Trulock described the purpose and content of the PMP. A public workshop will be scheduled in late January to discuss the draft PMP with stakeholders in the Keys. The final PMP should be available in late February 2003. PDT members agreed that this document should be prepared to clearly demonstrate to Congress that a number of wastewater and stormwater projects are ready-to-proceed and in need of Government appropriations. A goal was established by the Intergovernmental Task Force to request \$500,000 in federal funding for FY 2003. Concern was expressed about the ability to carry over allocated funds from one Fiscal Year to another. Ms. Trulock indicated that she would further investigate this issue with USACE management.

Statutory Requirements – A general discussion was held regarding the statutory requirements governing both wastewater and stormwater management in the Florida Keys.

Task List:

1. **Cecelia Weaver, SFWMD**, will inquire as to the applicability of the State of Florida's Sunshine Law at meetings of the FKWQIP PDT and communicate the determination to PDT members. **Status:** The SFWMD Office of Legal is currently evaluating this issue.
2. **Patricia Carney, EPJV**, will continue to assimilate updated project listings from municipalities into the FKWQIP spreadsheet and submit to PDT members for review by December 22, 2002. **Status:** Ongoing
3. **Patricia Carney, EPJV**, will apply the prioritization scheme authorized by the PDT to projects contained on the FKWQIP spreadsheet for final authorization by PDT members. This approved spreadsheet will represent the prioritization of projects for fiscal year 2003. **Status:** Ongoing.
4. **Shelley Trulock, USACE, and Cecelia Weaver, SFWMD**, will schedule the next PDT meeting and subsequent public workshops for late January **Status:** Meeting dates are not yet determined.
5. **Shelley Trulock, USACE**, will seek clarification on the "carryover" of obligated funds from one fiscal year to another. **Status:** The USACE has declared that funds may be carried over IF they are accurately targeted for carry over. For example, for a \$10M appropriation, the PDT can plan to spend any amount (e.g., \$6M) and carry over any amount (e.g., \$4M), deviation from the plan is not allowed.
6. **PDT Sub-team** will develop proposed alternative language for Section 3b of the Readiness to Proceed document. **Status:** Jim Reynolds, FKAA, has completed this task and submitted to PDT members via email (December 6, 2002). Jim requested feedback from PDT members by December 15, 2002 so he can compile the final language.
7. **Shelley Trulock, USACE**, will convey to USACE Headquarters the desire of Florida Keys' municipalities to prepare a programmatic EIS to support the FKWQIP. **Status:** The USACE has agreed that a programmatic EIS is appropriate for the FKWQIP and EPJV has resumed EIS preparation activities.

Meeting Attendees:

George Garrett, Monroe County
Tim McGarry, Monroe County

David Fernandez, Key West
Kathleen Fischer, Layton
John Bartus, Marathon
Greg Tindle, Islamorada
Clyde Burnett, KCB
Jim Reynolds, FCAA
Jack Teague, FCAA
Shelley Trulock, USACE
Bill Kruczynski, USEPA
Charles Brooks, Key Largo WWTD
Gus Rios, FDEP
Cecelia Weaver, SFWMD
Tom St. Clair and Patricia Carney, EPJV